

APPEAL,CONSOL,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00810-RBW**

ELECTRONIC PRIVACY INFORMATION CENTER v.
UNITED STATES DEPARTMENT OF JUSTICE
Assigned to: Judge Reggie B. Walton
Case: 1:19-cv-00957-RBW
Case in other court: USCA, 19-05121
Cause: 05:552 Freedom of Information Act

Date Filed: 03/22/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ELECTRONIC PRIVACY
INFORMATION CENTER**

represented by **Alan Jay Butler**
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Plaintiff

JASON LEOPOLD
19cv957 plaintiff

represented by **Joshua Hart Burday**
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Plaintiff

BUZZFEED INC.
19cv957 plaintiff

represented by **Joshua Hart Burday**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew Topic
(See above for address)
LEAD ATTORNEY
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V.

Defendant

UNITED STATES DEPARTMENT OF JUSTICE

represented by **Courtney Danielle Enlow**
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Defendant

DOJ OFFICE OF ATTORNEY GENERAL
19cv957 defendant

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ DEPUTY ATTORNEY GENERAL
19cv957 defendant

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ OFFICE OF SPECIAL COUNSEL
19cv957 defendant

represented by **Courtney Danielle Enlow**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

represented by

DAVID ANDREW CHRISTENSON
TERMINATED: 04/05/2019

DAVID ANDREW CHRISTENSON
P.O. Box 9063
Miramar Beach, FL 32550
(504) 715-3086
PRO SE

Date Filed	#	Docket Text
03/22/2019	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-6017881) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Davisson, John) (Entered: 03/22/2019)
03/23/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by ELECTRONIC PRIVACY INFORMATION CENTER (Davisson, John) (Entered: 03/23/2019)
03/25/2019		Case Assigned to Judge Reggie B. Walton. (zef,) (Entered: 03/25/2019)
03/25/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 03/25/2019)
03/26/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/26/2019. Answer due for ALL FEDERAL DEFENDANTS by 4/25/2019. (Davisson, John) (Entered: 03/26/2019)
03/26/2019	<u>5</u>	MOTION for Leave to Join and Intervene by DAVID ANDREW CHRISTENSON (jf) (Entered: 03/27/2019)
03/29/2019	<u>6</u>	NOTICE of Appearance by Courtney Danielle Enlow on behalf of All Defendants (Enlow, Courtney) (Entered: 03/29/2019)
03/29/2019	<u>7</u>	MOTION for Preliminary Injunction by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit Index, # <u>4</u> Exhibit Nos. 1-7)(Davisson, John) (Entered: 03/29/2019)
04/01/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/1/2019. (Davisson, John) (Entered: 04/01/2019)
04/01/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/1/2019 (Davisson, John) (Entered: 04/01/2019)
04/01/2019	<u>10</u>	GENERAL ORDER. Signed by Judge Reggie B. Walton on April 1, 2019. (lcrbw1) (Entered: 04/01/2019)
04/01/2019	<u>11</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that David Christenson's <u>5</u> Motion for Leave to File Motion to Join and Intervene is GRANTED. It is further ORDERED that David Christenson shall file his motion to join or intervene on or before 12:00 p.m. on April 4, 2019. It is further ORDERED that the Department shall file its opposition to David Christenson's motion to join or intervene on or before 12:00 p.m. on April 8, 2019. It is further ORDERED that the Department shall file its opposition to the plaintiff's motion for preliminary injunction on or before April 5, 2019. It is further ORDERED that the plaintiff shall file its reply in support of its motion on or before 12:00 p.m. on April 8, 2019. It is further ORDERED that the parties shall appear before the Court for a hearing on the Plaintiff's Motion for a Preliminary Injunction on April 9, 2019, at 9:00 a.m. Signed by Judge Reggie B. Walton on April 1, 2019. (lcrbw1) (Entered: 04/01/2019)
04/01/2019	<u>12</u>	NOTICE of Appearance by Alan Jay Butler on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Butler, Alan) (Entered: 04/01/2019)
04/02/2019		Set/Reset Deadlines/Hearings: David Christenson shall file his motion to join or intervene on or before 12:00 p.m. on April 4, 2019. It is further ORDERED that the Department shall file its opposition to David Christenson's motion to join or intervene

		on or before 12:00 p.m. on April 8, 2019. It is further ORDERED that the Department shall file its opposition to the plaintiff's motion for preliminary injunction on or before April 5, 2019. It is further ORDERED that the plaintiff shall file its reply in support of its motion on or before 12:00 p.m. on April 8, 2019. It is further ORDERED that the parties shall appear before the Court for a hearing on the Plaintiff's Motion for a Preliminary Injunction on April 9, 2019, at 9:00 a.m. Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/02/2019)
04/02/2019	<u>13</u>	LEAVE TO FILE DENIED– David Andrew Christenson's motion for leave to memorandum concerning my 20 year exercise in futility This document is unavailable as the Court denied its filing. "Leave to file is denied." Signed by Judge Reggie B. Walton on 4/2/19. (ztd) Modified to add text on 4/3/2019 (znmw). (Entered: 04/02/2019)
04/02/2019	<u>14</u>	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Entered: 04/02/2019)
04/04/2019	<u>15</u>	LEAVE TO FILE DENIED– David Christenson's Motion for Leave to Memorandum concerning my 20–year exercise in futility This document is unavailable as the Court denied its filing. "Leave to file is Denied," Signed by Judge Reggie B. Walton on 4/4/19. (ztd) Modified to add text on 4/5/2019 (znmw). (Entered: 04/05/2019)
04/04/2019	<u>16</u>	MOTION to Intervene by DAVID ANDREW CHRISTENSON (Attachments: # <u>1</u> Attachments 1–4)(ztd) (Entered: 04/05/2019)
04/05/2019	<u>17</u>	MOTION to Amend/Correct <u>16</u> MOTION to Intervene by DAVID ANDREW CHRISTENSON (ztd); ("Leave to file is Granted" signed 4/5/19 by Judge Walton) (Entered: 04/05/2019)
04/05/2019	<u>18</u>	RESPONSE re <u>17</u> MOTION to Amend/Correct <u>16</u> MOTION to Intervene, <u>16</u> MOTION to Intervene filed by UNITED STATES DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 04/05/2019)
04/05/2019	<u>19</u>	RESPONSE re <u>7</u> MOTION for Preliminary Injunction filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit Declaration of Vanessa Brinkmann)(Enlow, Courtney) (Entered: 04/05/2019)
04/05/2019	<u>20</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that Mr. Christenson's <u>16</u> Motion to Join and Intervene per Judge Walton's Order dated April 1[], 2019, is DENIED. It is further ORDERED that the Court's April 1, 2019 Order, ECF No. 11, to the extent that it requires the Department to file its opposition to Mr. Christenson's motion to join or intervene on or before 12:00 p.m. on April 8, 2019, is VACATED. It is further ORDERED that Mr. Christenson's <u>17</u> Motion for Leave to File Amended Motion to Join and Intervene and Open Letter to Judge Reggie B. Walton is DENIED. Signed by Judge Reggie B. Walton on April 5, 2019. (lcrbw1) (Entered: 04/05/2019)
04/08/2019	<u>21</u>	REPLY to opposition to motion re <u>7</u> MOTION for Preliminary Injunction filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Exhibit 8)(Butler, Alan) (Entered: 04/08/2019)
04/08/2019	<u>22</u>	LEAVE TO FILE DENIED– David Andrew Christenson's Letter to Judge Walton This document is unavailable as the Court denied its filing. "Leave to File is Denied." Signed by Judge Reggie B. Walton on 4/8/19. (ztd) Modified to add text on 4/9/2019 (znmw). (Entered: 04/08/2019)
04/08/2019	<u>23</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of UNITED STATES DEPARTMENT OF JUSTICE (Shapiro, Elizabeth) (Main Document 23 replaced on 4/9/2019) (ztd). (Entered: 04/08/2019)
04/09/2019		Minute Entry; Proceedings held before Judge Reggie B. Walton: Motion Hearing held on 4/9/2019 re <u>7</u> MOTION for Preliminary Injunction filed by ELECTRONIC PRIVACY INFORMATION CENTER. Oral Ruling issued Denying Without Prejudice <u>7</u> Motion for Preliminary Injunction. Status Conference set for 5/2/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 04/09/2019)

04/09/2019	<u>24</u>	ORDER. In accordance with the Court's oral rulings issued at the motion hearing held on the same date, it is hereby ORDERED that the <u>7</u> Plaintiff's Motion for a Preliminary Injunction is DENIED WITHOUT PREJUDICE. Specifically, the motion is denied because the plaintiff has not satisfied its burden of demonstrating that it faces irreparable harm in the absence of an injunction. It is further ORDERED that the government shall file its answer to the plaintiff's Complaint on or before April 25, 2019. It is further ORDERED that the parties shall appear before the Court on May 2, 2019, at 10:00 a.m. to discuss how the parties wish to proceed in this case. Signed by Judge Reggie B. Walton on April 9, 2019. (lcrbw1) (Entered: 04/09/2019)
04/10/2019	<u>25</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on April 9, 2019; Page Numbers: 1 – 27. Court Reporter/Transcriber Cathryn Jones, Telephone number 2023543246, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P> Redaction Request due 5/1/2019. Redacted Transcript Deadline set for 5/11/2019. Release of Transcript Restriction set for 7/9/2019.(Jones, Cathryn) (Entered: 04/10/2019)
04/11/2019	<u>26</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that, on or before April 19, 2019, the parties in the above-captioned matters shall SHOW CAUSE as to why the cases should not be consolidated. Signed by Judge Reggie B. Walton on April 11, 2019. (lcrbw1) (Entered: 04/11/2019)
04/12/2019		Set/Reset Deadlines: Responses to Show Cause Order due by 4/19/2019. (hs) (Entered: 04/12/2019)
04/12/2019		Set/Reset Hearings: Status Conference set for 5/2/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/12/2019)
04/12/2019	<u>27</u>	RESPONSE TO ORDER TO SHOW CAUSE by UNITED STATES DEPARTMENT OF JUSTICE re <u>26</u> Order, . (Attachments: # <u>1</u> Text of Proposed Order)(Enlow, Courtney) (Entered: 04/12/2019)
04/12/2019	<u>31</u>	LEAVE TO FILE DENIED– David Christenson's motion for leave to file a critical example of why I should prevail on behalf of you, your family, all American and Mankind This document is unavailable as the Court denied its filing.. Signed by Judge Reggie B. Walton on 4/12/19. (ztd) (Entered: 04/22/2019)
04/16/2019	<u>29</u>	NOTICE OF APPEAL as to <u>20</u> Order on Motion to Intervene,,, Order on Motion to Amend/Correct,, by DAVID ANDREW CHRISTENSON. Fee Status: No Fee Paid. Parties have been notified. ("Leave to file granted" signed 4/16/19 by Judge Walton) (ztd) (Entered: 04/22/2019)
04/18/2019	<u>28</u>	RESPONSE TO ORDER TO SHOW CAUSE by ELECTRONIC PRIVACY INFORMATION CENTER re <u>26</u> Order, . (Attachments: # <u>1</u> Exhibit No. 1 (Part 1 of 2), # <u>2</u> Exhibit No. 1 (Part 2 of 2))(Davisson, John) (Entered: 04/18/2019)
04/18/2019	<u>32</u>	LEAVE TO FILE DENIED– David Christenson's (2) Motion to Appoint Justice (Retired) Richard A. Posner as Co-Counsel; (2) Motion for Leave to file supplemental Motion to Reconsider; and Motion for leave to file motion to reconsider This document is unavailable as the Court denied its filing.. Signed by Judge Reggie B. Walton on 4/18/19. (ztd) (Entered: 04/22/2019)
04/22/2019	<u>30</u>	Transmission of the Notice of Appeal, OrderAppealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The fee remains to be paid and another notice will be transmitted when the fee has been paid in the District Court re <u>29</u> Notice of Appeal,. (ztd) (Entered: 04/22/2019)

04/22/2019	<u>33</u>	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the parties' obligations under the Court's April 11, 2019 Order to Show Cause are DISCHARGED. It is further ORDERED that, to the extent that the plaintiffs in the above-captioned matters are seeking the release of the Special Counsel Mueller's report regarding the investigation into Russian interference in the 2016 United States presidential election, Case No. 19-cv-810 is CONSOLIDATED with Case No. 19-cv-957. It is further ORDERED that the parties shall make all future filings only in Case No. 19-cv-810, and the Clerk of the Court shall refuse to accept any filings in Case No. 19-cv-957. Signed by Judge Reggie B. Walton on April 22, 2019. (lcrbw1) (Entered: 04/22/2019)
04/22/2019	<u>40</u>	LEAVE TO FILE DENIED– David Andrew Christenson's Motion for leave to file supplemental motion to reconsider This document is unavailable as the Court denied its filing. "Leave to File is denied," Signed by Judge Reggie B. Walton on 4/22/19. (ztd) Modified to add text on 5/7/2019 (znmw). (Entered: 05/02/2019)
04/22/2019	<u>41</u>	LEAVE TO FILE DENIED– David Andrew Christenson's Notice We Have Blood on Our Hands... This document is unavailable as the Court denied its filing. "Leave to File is denied," Signed by Judge Reggie B. Walton on 4/22/19. (ztd) Modified to add text on 5/7/2019 (znmw). (Entered: 05/02/2019)
04/22/2019	<u>42</u>	LEAVE TO FILE DENIED– David Andrew Christenson's Motion to Appoint Justice (Retired) Richard A. Posner as Co–Counsel This document is unavailable as the Court denied its filing. "Leave to File is denied," Signed by Judge Reggie B. Walton on 4/22/19. (ztd) Modified to add text on 5/7/2019 (znmw). (Entered: 05/02/2019)
04/23/2019	<u>34</u>	NOTICE OF APPEAL as to <u>20</u> Order on Motion to Intervene, Order on Motion to Amend/Correct, by DAVID ANDREW CHRISTENSON. Fee Status: No Fee Paid. Parties have been notified. (zrdj) (Entered: 04/25/2019)
04/25/2019	<u>35</u>	Transmission of the Notice of Appeal, OrderAppealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The fee remains to be paid and another notice will be transmitted when the fee has been paid in the District Court re <u>34</u> Notice of Appeal. (zrdj) (Entered: 04/25/2019)
04/25/2019	<u>36</u>	ANSWER to Complaint from <i>Electronic Privacy Information Center</i> by UNITED STATES DEPARTMENT OF JUSTICE.(Enlow, Courtney) (Entered: 04/25/2019)
04/25/2019	<u>37</u>	ANSWER to Complaint by <i>Jason Leopold and Buzzfeed, Inc.</i> in consolidated action 19-cv-957 by UNITED STATES DEPARTMENT OF JUSTICE.(Enlow, Courtney) (Entered: 04/25/2019)
04/26/2019		USCA Case Number 19-5121 for <u>34</u> Notice of Appeal filed by DAVID ANDREW CHRISTENSON. (zrdj) (Entered: 04/26/2019)
04/30/2019	<u>38</u>	STATUS REPORT by ELECTRONIC PRIVACY INFORMATION CENTER. (Butler, Alan) (Entered: 04/30/2019)
05/01/2019	<u>39</u>	STATUS REPORT by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, UNITED STATES DEPARTMENT OF JUSTICE. (Enlow, Courtney) (Entered: 05/01/2019)
05/02/2019		Minute Entry for Status Conference proceedings held on 5/2/2019 before Judge Reggie B. Walton: Defendant's summary judgment motions due by 6/3/2019. Plaintiffs'response to the summary judgment and cross motions for summary judgment due by 6/24/2019. Reply to motions for summary judgment and response to cross motions due by 7/8/2019. Reply to cross motions due by 7/15/2019. Status Report on the remaining records due by 6/17/2019. Status Conference set for 7/2/2019 at 10:00 AM in Courtroom 16. Status Conference set for 8/5/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) Associated Cases: 1:19-cv-00810-RBW, 1:19-cv-00957-RBW(gdf) (Entered: 05/02/2019)
05/03/2019	<u>43</u>	ORDER.In accordance with the Cour's oral rulings issued at the status conference held on the May 2, 2019, it is hereby ORDERED that, on or before May 6, 2019, the defendant shall produce to the plaintiffs a redacted copy of Special Counsel Mueller's report regarding the investigation into Russian interference in the 2016 United States presidential election with the appropriate exemption markings under the Freedom of Information Act. It is further ORDERED that the parties' obligation to submit a

		<p>statement of material facts with their respective motions for summary judgment under Local Civil Rule 7(h)(1) is WAIVED. It is further ORDERED that the defendant shall file its motion for summary judgment on or before June 3, 2019. It is further ORDERED that the Electronic Privacy Information Center's request that the defendant submit, for in camera review, the original, unredacted version of the Special Counsel Mueller's report regarding the investigation into Russian interference in the 2016 United States presidential election with the filing of its motion for summary judgment is DENIED WITHOUT PREJUDICE. It is further ORDERED that the plaintiffs shall file their opposition to the defendant's motion and any cross-motion for summary judgment on or before June 24, 2019. It is further ORDERED that the defendant shall file its combined reply in support of its motion and opposition to any cross-motion on or before July 8, 2019. It is further ORDERED that the plaintiffs shall file their reply in support of any cross-motion on or before July 15, 2019. It is further ORDERED that the parties shall appear for a status conference on August 5, 2019, at 10:00 a.m. for a hearing on the parties' cross-motions for summary judgment. It is further ORDERED that, on or before June 3, 2019, the defendant shall produce all non-exempt records responsive to Category 5 of the Electronic Privacy Information Center's FOIA request. It is further ORDERED that, on or before June 17, 2019, the parties shall submit a joint status report regarding how the case shall proceed with respect to the additional documents sought by the Electronic Privacy Information Center. It is further ORDERED that the parties shall appear for a status conference on July 2, 2019, at 10:00 a.m., in order to propose a production schedule to the Court for the additional documents sought by the Electronic Privacy Information Center. Signed by Judge Reggie B. Walton on May 3, 2019. (lcrbw1) (Entered: 05/03/2019)</p>
05/06/2019		Set/Reset Deadlines: Reply to Cross Motions due by 7/15/2019. Joint Status Report due by 6/17/2019 Summary Judgment motions due by 6/3/2019. Response to Motion for Summary Judgment/Cross Motion due by 6/24/2019. Reply to Motion for Summary Judgment due by 7/8/2019. (hs) (Entered: 05/06/2019)
05/24/2019	<u>44</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF ATTORNEY GENERAL served on 4/15/2019 (Topic, Matthew) (Entered: 05/24/2019)
05/24/2019	<u>45</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ DEPUTY ATTORNEY GENERAL served on 4/15/2019 (Topic, Matthew) (Entered: 05/24/2019)
05/24/2019	<u>46</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DOJ OFFICE OF SPECIAL COUNSEL served on 4/15/2019 (Topic, Matthew) (Entered: 05/24/2019)
05/24/2019	<u>47</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/15/2019. (Topic, Matthew) (Entered: 05/24/2019)
05/24/2019	<u>48</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF JUSTICE served on 4/15/2019 (Topic, Matthew) (Entered: 05/24/2019)